

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:19-cv-00333-MR**

PAUL VALDEZ-BEY,

Plaintiff,

vs.

FNU CASTALONE, et al.,

Defendants.

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ORDER

THIS MATTER is before the Court sua sponte.

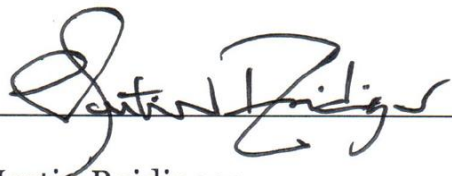
Plaintiff filed this lawsuit pursuant to 42 U.S.C. § 1983 on December 3, 2019 against Defendants FNU Castalone, FNU Patton, and FNU Sims, based on events alleged to have occurred while he was detained at the Buncombe County Detention Center located in Asheville, North Carolina. [Doc. 1]. Plaintiff's Complaint survived initial review as to all Defendants. [Doc. 17]. After some delay, Plaintiff filed completed summonses with the Court for service on Defendants. [See Docs. 19, 21, 22, 23, 25; 10/28/2020 Docket Entry]. Summonses were issued electronically to the United States Marshal for service on all Defendants on November 2, 2020. [Doc. 26]. On December 3, 2020, the United States Marshal filed a receipt, indicating that the summonses were served on Defendants by certified mail on November

5, 2020. [Doc. 29]. On November 30, 2020, Defendants Castalone and Patton answered Plaintiff's Complaint. [Doc. 28]. To date, however, Defendant Sims has not appeared or otherwise defended this action, and the Plaintiff has not taken any further action with respect to this Defendant.

IT IS, THEREFORE, ORDERED that Plaintiff shall take further action to prosecute this case against Defendant Sims within fourteen (14) days of this Order. Failure to take any such further action shall result in the dismissal of this Defendant without prejudice.

IT IS SO ORDERED.

Signed: March 10, 2021



Martin Reidinger
Chief United States District Judge

